ADMINISTRATIVE
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ADMINISTRATIVE LAW SECTION of AMERICAN BAR ASSOCIATION

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THE ST. LOUIS MEETING

The Fifth Annual Meeting of the Administrative Law Section was held at St. Louis on September 5 and 6. The Council met on September 4 and 6, preceding the opening and concluding sessions of the Section meeting.

The Council Meeting

All members of the Council were in attendance except Messrs. McClean and Marbury. Others present at various times by special invitation included Louis G. Caldwell, Robert E. Freer, and Clarence E. Miller of Washington, D. C.; Don E. Petty, Los Angeles; and Robert H. Young, Philadelphia. Among the numerous matters considered by the Council were the following:

1. **The O'Hara Bill.** H. R. 1819 would transfer to the federal district courts the authority of the Federal Trade Commission to adjudicate unfair competition cases under Section 5 of the Federal Trade Commission Act, leaving the Commission only the function of prosecuting such cases. The Council unanimously opposed the bill but had no reason to oppose an alternative recommendation brought forth by the Section of Corporation, Banking and Mercantile Law (which had previously supported the O'Hara Bill) that the Association urge Congress to deny to the Commission future jurisdiction over practices proscribed by the Sherman Antitrust Act.

2. **Essay Contest.** The time for the submission of the competing papers having expired on September 1, 1949, after having been once extended from December 31, 1948, the expiration date initially announced, the Council declared the contest closed and directed that the papers submitted on or before September 1, 1949, be transmitted to the judges for selection of the prize winners. The Chairman announced that the judges are Chief Justice George Rossman of the Supreme Court of Oregon, Chairman, Carl McFarland, of Washington, D. C., and Dean Charles B. Nutting, Law School, University of Pittsburgh.

3. **Expansion of Section Committees.** Upon recommendation of the National Committee, the Chairman was authorized to create additional section committees to deal (1) with particular federal agencies and activities and (2) with particular federal legislation or proposals. The National Committee will have continuing responsibility for coordinating the work of these new committees.

4. **Administrative Court Proposal.** The Council concluded to refer this legislative proposal to the Section's special committee on this matter for further study and report.

5. **Institute on Administrative Practitioners.** It was concluded that the Section cooperate with the Association's Committee on Unauthorized Practice of the Law and the Section of Taxation in participating in a proposed institute or conference designed to effectuate a closer understanding of the work of accountants, economists, lawyers, and other professional personnel commonly concerned with the conduct of proceedings before administrative agencies and judicial tribunals.

6. **New Members of Council.** The Section By-Laws provide that, in case of the failure of a member of the Council to attend two successive meetings, the office shall be automatically vacated and the Council shall fill the vacancy for the unexpired term. Acting pursuant to this provision, the Council elected Mr. William J. Jameson of Billings, Montana, to succeed Mr. Harry J. McClean, and Mr. Louis G. Caldwell of Washington, D. C. to succeed Mr. William L. Marbury.

To fill the vacancy occasioned by the resignation from the Council of Mr. Carl McFarland, the Council elected Mr. Roscoe P. Thoma of Fairfield, Iowa.

Section Meeting

The Section Meeting at St. Louis was the best attended and perhaps the most stimulating of its annual meetings. It opened with a formal luncheon on Monday, reconvened at 3:30 for the provocative debate on the Administrative Court Proposal, and concluded on Tuesday afternoon with a full series of committee reports and discussions. The entire proceedings, except for the luncheon remarks and addresses, were stenographically reported and a copy of the transcript is on file with the Section secretary. A summary of the proceedings follows.

The Luncheon. Addressing approximately 250 members of the Section and other members of the Association, Dean Erwin Griswold of the Harvard Law School described the work of the Tax Court of the United States and his earlier advanced proposal for the establishment of a Court of Tax Appeals. Preceding Dean Griswold on the program, Mr. Ernest L. Wilkinson of the Washington, D. C. Bar delivered an equally informative address on the work of the United States Court of Claims. This scholarly paper concerning the jurisdiction and functioning of an important tribunal, about which lawyers generally are not closely informed, will appear in a subsequent issue of the Bulletin.

The Administrative Court Debate. In a two hour session on Monday afternoon, devoted exclusively to a discussion of the Administrative Court proposal (see Bulletin, Volume I, No. 3), Louis G. Caldwell of Washington, D. C. spoke in support of the proposal in its basic form. The advantages which he deemed would be provided by its effectuation are (1) expertness through specialization, (2) development toward uniformity in substantive law, adjective law, and methods of review, and (3) relief of the established Federal courts. The proposal was vigorously condemned by Mr. Alfred J. Schweppe, of Seattle, who restated the grounds and views which he had set forth earlier in his article in the July, 1949, issue of the A. B. A. Journal.

In the active discussion from the floor which followed it became evident that the proposal already had attracted widespread attention and that strongly divergent views have evolved. Among those participating

in the discussion at that time and at the session the following afternoon were Robert M. Benjamin of New York; Robert Denham, General Counsel, National Labor Relations Board; Clarence E. Miller, of Washington, D. C.; and United States Court of Appeals Chief Judge Harold M. Stephens of Washington, D. C. As indicated above, the Section was not called upon to take a position on the proposal but, upon the recommendation of the Section's special committee on the subject as announced by the committee chairman, Roscoe P. Thoma, the Council referred the matter to the committee for further study and report.

The Business Session. In addition to receiving reports on the matters aforementioned, the Tuesday afternoon session heard and briefly discussed the reports of its various committees, and elected its officers, new Council members, and delegate to the House of Delegates for the next year. It learned from Committee Chairman Don E. Petty that the Section has virtually doubled its membership during the year, and that there are now more than 1100 members; from Committee Chairman Clarence E. Miller that the legislation for increasing salaries of administrative officials will probably be enacted during this session of Congress; from Committee Chairman Charles B. Nutting that the selection of personnel on the Committee on State Administrative Law is nearing completion; and heard the report of National Committee Chairman Ashley Sellers as to the status of the various other legislative developments in which the Section has continuing interest.

The following new officers and Section officials were elected:

Chairman—Ashley Sellers, Washington, D. C.

Vice-Chairman—Julius C. Smith, Greensboro, N. C.

Secretary—Miss Patricia Collins, Washington, D. C.

New Council Members for terms expiring 1953:

James W. MacIntosh, Philadelphia,
Charles B. Nutting, Pittsburgh.

Delegate to House of Delegates—Carl McFarland, Washington, D. C.

SECTION MEMBERSHIP

The directory of members of the Administrative Law Section as of September 30, which appears on the following pages of this first Bulletin for 1949-1950, serves to emphasize both the growth of the Section and the need to keep it growing. It is now approaching the size where it may become the effective instrument it was intended to be when the American Bar Association created it in 1946. It is a meeting ground for lawyers interested in administrative law, a vehicle for the formulation of policy, and a means for keeping the bar advised of important issues or developments.

Membership blanks are distributed with each issue of this Bulletin. Please use them to secure new members for the Section of Administrative Law. You know many lawyers who should be members but who have neglected to do so. Glance over the Directory on the following pages. It will enable you to see who in your area is not, but should be, a member of the Administrative Law Section. If there are many, write them a letter and offer to secure membership applications for them. At least use the enclosed blank to secure one new member by direct solicitation on your part.

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Denver 10

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Chicago 4

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Chicago 3

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Chicago 6

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Chicago 3

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Chicago

Robert F. Carney
208 S. LaSalle St.
Chicago 3

Charles Center Case
10 S. LaSalle St.
Chicago 3

Rubin G. Cohn
105 S. LaSalle St.
Chicago 3

Paul R. Conaghan
1768, 208 S. LaSalle St.
Chicago 4

Thomas J. Condon
230 S. Clark St., Rm. 983
Chicago 4

John M. Connery
122 S. Mich. Ave.
Chicago 3

William F. Cooper
100 W. Monroe St.
Chicago 3

Mary Hazel Crawford
2326 N. Lincoln Park West
Chicago

John Dern
11 S. LaSalle St.
Chicago

John A. Dienner
1550 Monadnock Block
Chicago

James P. Dillie
72 W. Adams St., Rm. 1600
Chicago 3

Walter F. Dodd
30 N. LaSalle St.
Chicago 2

Thomas J. Downs
135 S. LaSalle St.
Chicago 3

Palmer D. Edmunds
30 N. LaSalle St.
Chicago 2

E. A. Eklund
1745, 33 S. Clark St.
Chicago

Wm. R. Engelhardt
1709 Harris Trust Bldg.
Chicago 3

Irvin H. Fathchild
231 S. LaSalle St., Rm. 1815
Chicago 4

Lee A. Freeman
135 S. LaSalle St., Rm. 805
Chicago 3

Perett F. Gault
400 W. Madison St.
Chicago

Paul M. Godehn
231 S. LaSalle St.
Chicago 4

Phillip P. Gott
713 South Blvd.
Evanston

Hugh J. Graham, Jr.
404 Reisch Bldg.
Springfield

Charles F. Grimes
111 W. Washington St.
Chicago 2

Eric F. Grundin
815, 77 W. Washington St.
Chicago 2

John A. Haas
307 N. Mich. Ave.
Chicago 1

Harlan Lund Hackbert
208 S. LaSalle St.
Chicago 4

John R. Hackett
111 W. Washington St., Rm. 13
Chicago 2

Morris A. Haft
134 N. LaSalle St.
Chicago 2

Harold T. Halfpenny
111 W. Washington St.
Chicago

Helmer Hansen
231 S. LaSalle St., Rm. 1213
Chicago 4

John D. Hastings
919 N. Mich. Ave.
Chicago 10

Warren Henry
230 Centennial Bldg.
Springfield

Gray Herndon
916 Illinois Bldg.
Springfield

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c/o Libby, McNeill & Libby
Union Stock Yards
Chicago 9

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535 N. Dearborn St.
Chicago 10

Samuel C. Horwitz
120 S. LaSalle St.
Chicago 3

Joseph M. Jacobs
201 N. Wells St.
Chicago 6

Clarence B. Jones
309 W. Jackson Blvd.
Chicago 6

Thomas E. Keane
1600, 69 W. Washingon St.
Chicago

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111 W. Washington St., Rm. 73
Chicago 2

Charles H. Kinnane
412 Mitchell Ave.
Elmhurst

Edgar B. Kixmiller
33 S. Clark St.
Chicago 3

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216 7th St.
Cairo

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1144 Maple Ave.
Evanston

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Chicago 3

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Chicago 4

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135 S. LaSalle St., Rm. 2600
Chicago 3

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1118 New Post Office
Chicago

Nellie MacNamara
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Chicago 3

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6133 Ellis Ave.
Chicago 37

David O. Mathews
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Chicago 4

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C. B. & Q. R. R. Co.
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Chicago

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1060 Rookery Bldg.
Chicago 4

Albert J. Meserow
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Chicago 3

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457 Citizens Bldg.
Decatur

Sidney Mogul
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Chicago 2

Michael F. Mulcahy
2128, 33 N. LaSalle St.
Chicago 2

John McMahon Murphy
2000 Lincoln Park West
Chicago 14

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Chicago 4

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Chicago 44

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Chicago 3

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Le Claire Hotel
Moline

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120 S. LaSalle St., Rm. 1824
Chicago 3

Anan Raymond
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607 1st Nat. Bank Bldg.
Springfield

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72 W. Adams St.
Chicago

Henry Glenn Ross
77 W. Washington St.
Chicago 2

Ben Rothbaum
1910, 77 W. Washington St.
Chicago

Harry L. Rudnick
29 S. LaSalle St.
Chicago 3

Horace Russell
7 S. Dearborn St., Rm. 1720
Chicago 3

Frank M. Ryan
Leaf River, R. F. D.

Werner W. Schroeder
1 N. LaSalle St., 2141
Chicago 2

Arthur Henry Schwietert
1 N. LaSalle St.
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Andrew C. Scott
547 W. Jackson Blvd.
Chicago 6

Roger L. Severns
72 W. Adams St., Room 1700
Chicago 3

Floyd Francis Shields
111 W. Washington St., Rm. 105
Chicago 2

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2310, 135 S. LaSalle St.
Chicago 3

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135 E. 11th Pl.
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Chicago 6

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Chicago 4

Clement F. Springer
327 S. LaSalle St.
Chicago 4

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Chicago 2

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4115 Packers Ave.
Chicago 9

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Chicago 5

William H. Symmes
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Chicago 2

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Continental Illinois Bank Bldg.
Chicago 4

Samuel Topliff
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Chicago 3

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Chicago 3

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Chicago 2

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135 S. LaSalle St.
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County Court House
Springfield

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Chicago 3

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Indianapolis 4

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Evansville

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Marion

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Sioux City 8

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Des Moines

Paul E. McCarville
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Fort Dodge

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Ames

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Des Moines

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Fort Madison

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Burlington

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Red Oak

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Des Moines

Arnold F. Schaetzle
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Council Bluffs

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Des Moines 4

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Fairfield

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Starks Bldg.
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Shreveport 24

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Shreveport 92

F. L. Hargrove
P. O. Box 1574
Shreveport 94

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Baton Rouge 6

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Baltimore 2

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Hagerstown

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BOJAB, Camp Holabird
Baltimore 19

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Baltimore 2

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Norwood B. Orrick
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Baltimore 1

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Towson

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Kensington

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Boston 9

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Palmer, Dodge, Chase & Davis
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Boston 9

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70 Washington St.
Salem

Ralph G. Boyd
75 Federal St.
Boston 10

Raphael A. A. Comparone
5 Jackson St.
Lawrence

Earl F. Cook
60 Boston St.
Salem

Lawrence E. Corcoran
89 State St.
Boston

Phillip Cowin
11 Pemberton Sq.
Boston 8

Claude B. Cross
829 Tremont Bldg.
Boston 8

Daniel A. J. Doyle
24 Park St.
Attleboro

John M. Fogarty
24 Elsmere Ave.
Lynn

Reuben Hall
30 Federal St.
Boston 10

Edward Benno Hanify
50 Federal St.
Boston

O. W. Haussermann
15 State St.
Boston 9

Robert H. Hopkins
82 Devonshire St.
Boston 9

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1570 Main St.
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Needham

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80 Federal St.
Boston 10

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Boston 16

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50 Congress St., Rm. 800
Boston 9

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390 Main St.
Worcester 8

Edward O. Proctor
89 State St.
Boston 10

H. William Radovsky
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Pittsfield

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Boston 8

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Boston 8

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Boston 8

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Detroit 26

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Muskegon

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Detroit 26

Frank E. Cooper
1100 Ford Bldg.
Detroit 26

John J. Danhof
300 Mich. Central Depot
Detroit

George S. Dixon
2280 Penobscot Bldg.
Detroit 26

Percy J. Donovan
1100 Ford Bldg.
Detroit 26

Charles H. Farrell
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Kalamazoo 1

Leo I. Franklin
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Detroit 26

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c/o Kellogg Co.
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Leslie D. Harrop
General Counsel
Upjohn Co.
Kalamazoo

L. Gaylord Hulbert
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Detroit 26

Bayre Levin
1250 Penobscot Bldg.
Detroit 26

Benjamin H. Long
2746 Penobscot Bldg.
Detroit 26

Allan Barr Lutz
3466 Penobscot Bldg.
Detroit 26

Alfred W. Massnick
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Detroit 26

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Detroit 26

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Parke, Davis & Co.
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3180 Penobscot Bldg.
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Detroit 26

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Detroit 26

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Traverse City

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Minneapolis 2

Pierce Butler, Jr.
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St. Paul 1

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Minneapolis 3

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Minneapolis 2

Ray E. Cummins
330 Minn. Bldg.
St. Paul 1

Daniel S. Feidt
1175 Northwestern Bank Bldg
Minneapolis 2

Joseph W. Finley
425 Hamm Bldg.
St. Paul 2

Clifford W. Gardner
1040 Minnesota Bldg.
St. Paul

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Northwest Airlines, Inc.
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St. Paul 1

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600 Metropolitan Bldg.
Minneapolis 2

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St. Paul 1

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Minneapolis 2

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Minneapolis 2

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Minneapolis

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Duluth

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Univ. of Minn., Pol. Sci. Dept.
Minneapolis 14

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Brookhaven

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400 Hewes Bldg.
Gulfport

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Phil Stone
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Greenwood

Earl Tilman Thomas
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Jackson

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Kansas City 6

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Troy

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Kansas City 6

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St. Louis

Allen Laws Oliver
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Cape Girardeau

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Kansas City 6

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Kansas City 6

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Kansas City 6

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Post Dispatch
St. Louis

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St. Louis 1

Karl P. Spencer
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St. Louis

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St. Louis 1

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St. Louis 1

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Panhandle Eastern Pipe Line
1221 Baltimore
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Milam L. R. Wade
1015 Commerce Bldg.
Kansas City 6

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Maurice F. Devine
70 Market St.
Manchester

Gordon M. Tiffany
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Concord

Louis E. Wyman
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Manchester

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Newark 2

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Hackensack

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Rahway

Perry E. Belfatto
790 Broad St.
Newark 2

Joseph J. Biunno
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Newark

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744 Broad St.
Newark 2

Charles Danzig
744 Broad St.
Newark 2

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Nathan Leonard Jacobs
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Francis V. D. Lloyd
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Trenton 8

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Newark

G. Dixon Speakman
744 Broad St.
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Atlantic Highlands

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214 Smith St.
Perth Amboy

Herman B. J. Weckstein
1060 Broad St.
Newark 2

John C. Wegner
225 Derron Ave.
Paterson 4

David T. Wilentz
117 Smith St.
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N. Y. 5

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22 East 40th St.
N. Y. 16

Everett Wheeler Barto
449 W. 14th St.
N. Y. 14

Edmund R. Beckwith
20 Exchange Pl.
N. Y. 5

Henry Ward Beer
25 Broadway
N. Y. 4

Charles S. Belsterling
71 Broadway
N. Y. 6

Robert M. Benjamin
40 Wall St.
N. Y. 5

James Bennett
30 S. Broadway
Yonkers

Hilliard L. Bernstein
165 Broadway
N. Y. 6

Lewis G. Bernstein
730 5th Ave.
N. Y. 19

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1 Columbia Pl.
Albany 7

Jacob Brenner
350 W. 34th St.
N. Y. 1

Francis A. Brick, Jr.
2 Wall St.
N. Y. 5

Samuel Brodsky
285 Madison Ave.
N. Y. 17

John R. Brook
15 Broad St.
N. Y. 5

Robert D. Brooks
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N. Y. 17

Edmund Burke, Jr.
120 Broadway
N. Y. 5

Herbert Burstein
135 Broadway
N. Y. 6

Max Chopnick
565 5th Ave.
N. Y.

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Albany 3

Julius Henry Cohen
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N. Y.

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N. Y. 13

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Helen E. Cottrell
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Heyden C. Covington
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N. Y.

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Bellport

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N. Y.

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N. Y. 4

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N. Y. 4

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Syracuse

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37 Wall St.
N. Y. 5

James G. Flanagan
50 Church St.
N. Y. 7

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N. Y.

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James D. Porter
622 N. Water St.
Milwaukee 2

Benjamin Poss
710 N. Plankington Ave.
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Francis C. Quilty
110 E. Main St.
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Howard C. Raether
135 W. Wells St.
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